

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff and
Counter Defendant,

Case No. 3:23-cv-00355-wmc

v.

TOWN OF LAC DU FLAMBEAU,

Defendant and
Counter Claimant,

and

GORDON ANDERSON et al.,

Intervenor Defendants and
Intervenor Counter Claimants.

**UNITED STATES OF AMERICA'S FIRST STATUS REPORT
REGARDING PRELIMINARY INJUNCTION**

Plaintiff and Counter Defendant United States of America hereby provides the Court with a status report regarding the United States' compliance with the Court's Opinion and Order and the separate Preliminary Injunction entered on September 26, 2024 (Dkts. 118, 119).

1. As required by the Preliminary Injunction, the United States, through counsel of record in this case, promptly provided a copy of the Court's Opinion and

Order and the Preliminary Injunction to the Lac du Flambeau Band of Lake Superior Chippewa Indians (the “Band”), through the Band’s attorney.

2. On October 23, 2024, the United States became aware that the Band, on October 18, 2024, sent a letter to Defendant and Counter Claimant Town of Lac du Flambeau (“Town”) informing the Town that the Band continues to consider the Town in default under the Tribal Council Resolution requiring the Town to obtain Temporary Access Permits to use the trust and restricted-fee lands on which portions of the four roads – Annie Sunn Lane, Center Sugarbush Lane, East Ross Allen Lake Lane, and Elsie Lake Lane (the “Roads”) – at the center of this case are situated. (The United States provides a copy of the letter as an exhibit to this Status Report.)

3. The letter sets a deadline of January 16, 2025, for the Town to comply with the requirements of the Tribal Council Resolution and indicates that “failure to pay will result in restricted access over the Four Roads.” Letter at 1.

4. The United States has requested that the Band leave the Roads open during the pendency of this litigation.

5. The United States will continue to provide updates to the Court on the status of the United States’ efforts to ensure compliance with the Court’s orders in this case as the circumstances require.

DATED: October 28, 2024

Respectfully submitted,

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